

# Memo

Date 24/08/2022

To: Warren Maclennan, Manager Planning, Regional , North, West and Islands  
 From: Ben Willis – Planner, Regional , North, West and Islands

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan**

Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register<sup>1</sup> authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

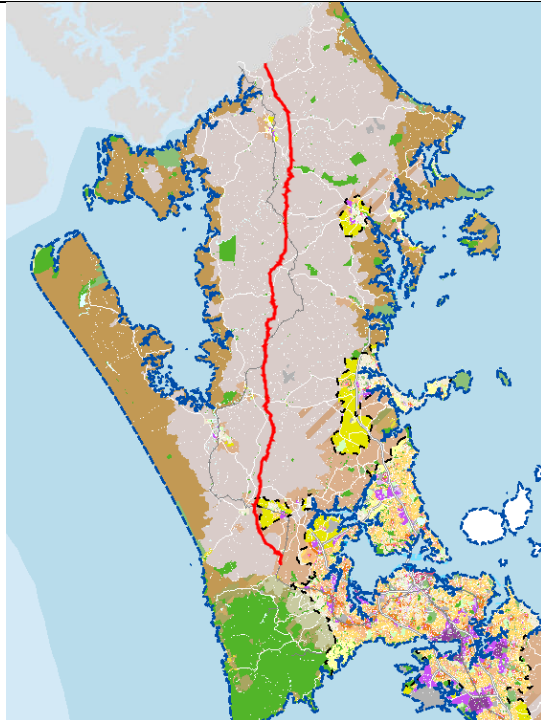
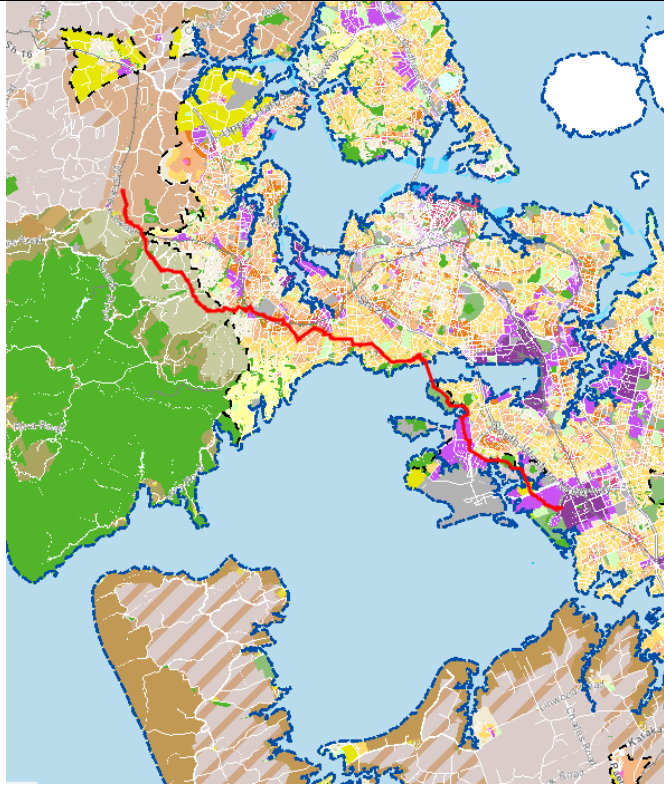




<b>Rule or Section of Unitary Plan</b>	Designation Schedule - Channel Terminal Services Limited	
<b>Subject Site (if applicable)</b>		

Figure 1: Map showing Designation 6500

	
<b>Legal Description (if applicable)</b>	N/A
<b>Nature of change</b>	<p>A Clause 20A modification is required to remove the fax (facsimile) contact number shown in the designation 6500 and designation 6501 contact details in the AUP.</p> <p><b>Discussion</b></p> <p>A previous change to these designations occurred on the 8 July 2022, this was a name change from NZ Refining Ltd to the current Channel Terminal Services Ltd. The removal of the fax (facsimile) number was not requested at that time and has since been requested to be removed by Channel Terminal Services Ltd’s lawyers (see attachment 1).</p>
<b>Effect of change</b>	<p>This is to correct a minor error and will be a neutral change. The change proposed will have no affect on the extent or function of these designations.</p>
<b>Changes required to be made (text/in-text diagrams)</b>	<p>Amend text: <i>Designation Schedule - Channel Terminal Services Limited</i> in the Operative in Part version. The two designations require the removal of the fax contact numbers.</p>
<b>Changes required to be made (maps)</b>	<p>No change is required to be made to the GIS Viewer</p>
<b>Attachments</b>	<p>Attachment 1: Email request from Channel Terminal Services Ltd’s Attachment 2: Corrections to text (strikethrough/underlines) Attachment 3: Corrected text</p>

<p><b>Prepared by:</b> Ben Willis Planner</p>	<p><b>Text Entered by:</b> Maninder Kaur Planning Technician</p>
<p><b>Signature:</b> </p>	<p><b>Signature:</b> </p>
<p><b>Maps prepared by:</b> Geospatial Analyst</p>	<p><b>Reviewed by:</b> Peter Vari Team Leader, Regional, North, West and Islands</p>
<p><b>Signature:</b> N/A</p>	<p><b>Signature:</b> </p>
<p><b>Decision:</b> I agree to authorise the Clause 20A modification using my delegated authority</p> <p>Warren MacLennan Manager Planning - Regional, North, West and Islands Date: 01/09/2022</p>	
<p><b>Signature:</b> </p>	

# Attachment 1: Email request from Channel Terminal Services Ltd's

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**From:** Maninder Kaur <[maninder.kaur@aucklandcouncil.govt.nz](mailto:maninder.kaur@aucklandcouncil.govt.nz)>  
**Sent:** Tuesday, 12 July 2022 2:12 PM  
**To:** Peter Vari <[Peter.Vari@aucklandcouncil.govt.nz](mailto:Peter.Vari@aucklandcouncil.govt.nz)>  
**Subject:** RE: Transfer of Designations 6500 and 6501 in the Auckland Unitary Plan

Kia ora Peter

Further to Chris's email below I would like to advise that we received no instructions from Channel Terminal Services Ltd to remove the fax number from the chapters.

This will be another Clause 20A, which we can do when we do the BAU update. At this stage we don't have a date.

Ngā mihi

**Maninder Kaur-Mehta | Planning Technician | Plans and Places Department**

**Ph: 021417368**

Auckland Council, Level 24, 135 Albert Street, Auckland 1011

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**From:** Chris Simmons <[chris.simmons@chancerygreen.com](mailto:chris.simmons@chancerygreen.com)>  
**Sent:** Tuesday, 12 July 2022 1:51 pm  
**To:** Peter Vari <[Peter.Vari@aucklandcouncil.govt.nz](mailto:Peter.Vari@aucklandcouncil.govt.nz)>  
**Cc:** Maninder Kaur <[maninder.kaur@aucklandcouncil.govt.nz](mailto:maninder.kaur@aucklandcouncil.govt.nz)>  
**Subject:** RE: Transfer of Designations 6500 and 6501 in the Auckland Unitary Plan

Good afternoon Peter,

Further to my email below, we have taken the time to review the updated designations as recorded in the AUP. We have no substantive issues. Our only comment to note is that the AUP still includes a fax number in the contact details for Channel Infrastructure. While we are advised that Channel Infrastructure still has the ability to receive faxes, and that the number is the same, this is not the preferred contact method.

Our suggestion is that the fax number be removed from the AUP.

Kind regards, Chris



**Chris Simmons | Partner**  
**m: +64 21 929 484 | t: +64 9 357 0600**

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**From:** Chris Simmons  
**Sent:** Friday, 8 July 2022 11:12 AM  
**To:** Peter Vari <[Peter.Vari@aucklandcouncil.govt.nz](mailto:Peter.Vari@aucklandcouncil.govt.nz)>  
**Cc:** Maninder Kaur <[maninder.kaur@aucklandcouncil.govt.nz](mailto:maninder.kaur@aucklandcouncil.govt.nz)>  
**Subject:** RE: Transfer of Designations 6500 and 6501 in the Auckland Unitary Plan

Good morning Peter, and thank you for this confirmation.

Kind regards, Chris



**Chris Simmons | Partner**  
**m: +64 21 929 484 | t: +64 9 357 0600**

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**From:** Peter Vari <[Peter.Vari@aucklandcouncil.govt.nz](mailto:Peter.Vari@aucklandcouncil.govt.nz)>  
**Sent:** Friday, 8 July 2022 10:52 AM  
**To:** Chris Simmons <[chris.simmons@chancerygreen.com](mailto:chris.simmons@chancerygreen.com)>  
**Cc:** Maninder Kaur <[maninder.kaur@aucklandcouncil.govt.nz](mailto:maninder.kaur@aucklandcouncil.govt.nz)>  
**Subject:** Transfer of Designations 6500 and 6501 in the Auckland Unitary Plan

Good morning Chris.

I am writing in response to your notice of 30 May 2022 on behalf of Channel Infrastructure NZ Limited, formerly The New Zealand Refining Company Limited, in relation to the transfer of Designations 6500 and 6501.

I can advise that the Auckland Unitary Plan has been updated from today to reflect the transfer of Designations 6500 and 6501 from New Zealand Refining Company Limited to Channel Terminal Services Limited.

Thank You

**Peter Vari | Team Leader Planning, Regional , North, West and Islands**

**Plans and Places**

021 596 420

Auckland Council, Level 24, 135 Albert Street, Auckland.

Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

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## Attachment 2: Corrections to text (~~strikethrough~~/underlines)



## 6500 Petroleum Pipeline - Rural Section

Designation Number	6500
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 109 Vipond Road, Topuni
Rollover Designation	Yes
Legacy Reference	Designation 620, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from Mangawhai Road at Kaiwaka and the southern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and no more than [50] lineal metres of pipeline will be excavated at any particular time; and
- ii. Upgrade will be limited to adding or replacing above the ground components, provided the relevant district Plan permitted activity standards are complied with.

The contact details for Channel Terminal Services Limited are:

**Postal Address:** Private Bag 9024, Whangarei, New Zealand  
**Telephone:** +64 9 432 5100  
**Facsimile:** +64 9 432 8035  
**Email:** [corporate@channelnz.com](mailto:corporate@channelnz.com)

### Conditions

#### Restrictions of the Designation

1. a. No person shall:
  - i. Erect any structure; or
  - ii. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
  - iii. Plant any tree or shrub; or
  - iv. Disturb the soil below a depth of 0.4 m from the surface; or
  - v. Do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and /or developer and work to achieve the most suitable outcome for

all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines > 450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to undertake:

i. Any works authorised by an earlier designation;

ii. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:

- A Road Opening Notice has been obtained from Auckland Transport;

- Soil is not disturbed below a depth of 0.4m from the surface; and

- After works, the finished surface level is not reduced below the pre-existing surface datum.

d. Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

### **General**

2. Subject to these conditions, all works shall be undertaken in general accordance with the plans and information submitted by requiring authority in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline" and additional information received 20 December 2007 entitled NZRC Pipeline Designation DRAFT — Rodney District Council (version 1: December 2007).

### **Designation Width**

3. The maximum width of the designation shall be as follows:

a. For land not within roads or rail corridor 12m; and

b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

### **Engineering Standards**

4. All works in, on or under Council roads shall be carried out in accordance with the requirements of the Council's then current Standards for Engineering Design and Construction.

### **Road Opening**

5. Any maintenance, repair, upgrade or renewal works associated with the pipeline within public roads within the designation shall be carried out in accordance with the document "National Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

### **Pipeline Maintenance**

6. All pipeline maintenance, repair, upgrade and renewal activities outside road reserves that involve excavation shall be in accordance with the Guide to Land Access for the Oil and gas industry and Landowners.

### **Utility Services**

7. Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

### **Overland Flow Paths**

8. Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

### **Existing Overhead Lines**

9. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

### **Earthworks**

10. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed in accordance with the current Unitary Plan standards. Prior to any earthworks within the designation the appropriate sediment control devices as per Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing activities in the Auckland Region" shall be installed.

### **Hours of Maintenance**

11. Scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained.

### **Noise**

12. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics Construction Noise.

### **Welding, Dust and Smoke**

13. Maintenance works, repair, upgrade and renewal activities shall comply with the following:

*All welding activities shall be screened from adjacent sites and roads.*

*No activity (apart from traffic travelling on formed roads, or activities authorised by resource consent for a discharge of contaminants into air) shall create a dust or smoke nuisance, which is discernible beyond the boundary of the site or sites on which the activity is being undertaken. For the purposes of this condition a dust or smoke nuisance will occur if the Council considers there is visible evidence of noxious, dangerous, offensive or objectionable deposited particulate matter settling on the ground, a building, or structure, which is traceable from a dust or smoke source; or if the Council considers that the level of dust or smoke, beyond the boundary of the site or sites on which the activity is being undertaken, is noxious, dangerous, offensive or objectionable. In making its determination as to whether there is or is not a dust or smoke nuisance, the Council shall take into account the character of the zone in which the dust or smoke is created.*

*Note:*

- a. In addition to this condition the Auckland Unitary Plan has rules relating to the discharge of smoke and dust.*
- b. It is the nature of the rural area that rural farming activities are undertaken that will create a level of dust and/or smoke as a part of reasonable farming activities. However, this does not exempt farming activities from meeting any relevant rules.*
- c. In making the above determination Council shall utilise suitably qualified and experienced persons where possible.*

### **Consultation with NZTA**

14. The requiring authority shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

### **Written Approval from the Requiring Authority**

15. The Requiring Authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

### **Advice Notes**

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. All land use activities within the designation corridor must comply with the New Zealand Code of Practice for Electrical Safety Distances (NZECP) 34:2001.
3. Any new structures within the designation may be subject to a Building Consent where applicable.
4. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
5. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation railway and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.
6. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines — Gas and Petroleum Liquids, the Health and safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
7. Emergency works may be performed in line with the Vector advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Vector or their agent who provide an on-call service outside of normal working hours.
8. An authority may need to be obtained from Heritage New Zealand to destroy, damage or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.
9. Where any maintenance works, repair, upgrade and renewal activities affect any stream or river or where earth works are undertaken the requiring authority will need to obtain any necessary consents from the Auckland Council prior to the works commencing.
10. For the avoidance of doubt, the Requiring Authority has confirmed that it accepts that nothing in the conditions limits, or is intended to limit, the potential obligation under section 176A of the RMA to provide an Outline Plan of works in appropriate circumstances.

### **Attachments**

No attachments.

## 6501 Petroleum Pipeline - Urban Section

Designation Number	6501
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri
Rollover Designation	Yes
Legacy Reference	Designation NZRC1, Auckland Council District Plan (Waitakere Section) 2003; Designation G0306 Auckland Council District Plan (Isthmus Section) 1999; and Designation 296, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki and the Wiri Oil Services Terminal at 149 Roscommon Road, Wiri, Manukau City.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and maximum allowable operating pressure of no more than (9.0MPa) and no more than [20] lineal metres of pipeline will be excavated within any 14 day period.
- ii. Upgrade will be limited to adding or replacing aboveground components provided the applicable Unitary Plan permitted activity standards are complied with and the maximum allowable operating pressure is not increased. Above ground components are limited to:
  - The existing isolation valves;
  - The existing cathodic protection terminals;
  - Surface marker posts; and
  - Warning signage.
- iii. All activities within road reserve shall be in accordance with the requirements of " Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor "; and
- iv. All activities within land other than the road reserve shall be in accordance with the Guide to Land Access for the Oil and Gas Industry and Landowners.

The contact details for Channel Terminal Services Limited are:

**Postal Address:** Private Bag 9024, Whangarei, New Zealand  
**Telephone:** +64 9 432 5100  
**Facsimile:** +64 9 432 8035  
**Email:** [corporate@channelnz.com](mailto:corporate@channelnz.com)

### Conditions

#### Restrictions of the Designation

1. a. No person shall:
  - i. Erect any structure; or
  - ii. Plant any tree or shrub; or
  - iii. Disturb the soil below a depth of 0.4m; or
  - iv. Do anything on or to the land which would or could damage or endanger the pipeline, without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to the following activities, provided that:

- i. Road Opening Notice has been obtained from the Road Controlling Authority;
- ii. Any road widening or associated works in accordance with any existing road designation;
- iii. Any repair, maintenance or upgrade to existing road surface;
- iv. Any repair, maintenance or upgrade to any existing network utility infrastructure.

Provided in all cases that:

- Soil is not disturbed below a depth of 0.4m from the surface; and
- After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

Emergency works may be performed in line with the Vector Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Channel Terminal Services Limited or their agent (Vector Gas Ltd) who provide an on-call service outside of normal working hours.

### **General**

2. Subject to these conditions, works shall be undertaken in general accordance with the plans and information submitted by the requiring authority in support of the Notice of Requirement in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline".

3. The maximum width of the designation shall be as follows:

- a. For land, not including roads and rail corridor 12m; and
- b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

For the avoidance of doubt, where the designation applies to road or rail corridors the designation shall not extend across any adjacent private property, except to the extent that private property is

subject to an easement in favour of Channel Terminal Services Limited.

4. All pipeline maintenance, repair, upgrade and renewal activities within road reserves that involve excavation shall be pursuant to a Road Opening Notice and shall be subject to the Road Opening Notice requirements of the Council and carried out in accordance with "Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor".
5. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed, in accordance with the current Unitary Plan standards.
6. Channel Terminal Services Limited shall at all times ensure that access between parts of any property held in single ownership temporarily severed by maintenance, repair, upgrade and renewal activities is maintained to a level that will enable, as far as practicable, normal activities on the property to continue.
7. Within road reserves scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) except:
  - a. where otherwise stated in a Traffic Management Plan, to the satisfaction of the Council; or
  - b. with the prior approval of the Road Controlling Authority.
8. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
9. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.
10. Channel Terminal Services Limited shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.
11. Channel Terminal Services Limited shall consult with Auckland Transport at least 15 working days prior to carrying out any works or activities on, in or under Council-controlled roads, except in emergency situations.
12. The requiring authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

#### **Advice Notes**

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
3. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines – Gas and Petroleum Liquids, the Health and Safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
4. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.

5. An authority may need to be obtained from Heritage New Zealand to destroy, damage, or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

### Attachments

No attachments.



## Attachment 3: Corrected text

## 6500 Petroleum Pipeline - Rural Section

Designation Number	6500
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 109 Vipond Road, Topuni
Rollover Designation	Yes
Legacy Reference	Designation 620, Auckland Council District Plan (Rodney Section) 2011
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from Mangawhai Road at Kaiwaka and the southern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and no more than [50] lineal metres of pipeline will be excavated at any particular time; and
- ii. Upgrade will be limited to adding or replacing above the ground components, provided the relevant district Plan permitted activity standards are complied with.

The contact details for Channel Terminal Services Limited are:

**Postal Address:** Private Bag 9024, Whangarei, New Zealand  
**Telephone:** +64 9 432 5100  
**Email:** [corporate@channelnz.com](mailto:corporate@channelnz.com)

### Conditions

#### Restrictions of the Designation

1. a. No person shall:
  - i. Erect any structure; or
  - ii. Erect a fence with supports which extend more than 0.4m into the ground from the surface; or
  - iii. Plant any tree or shrub; or
  - iv. Disturb the soil below a depth of 0.4 m from the surface; or
  - v. Do anything on or to the land which would or could damage or endanger the pipeline within the designated corridor without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging, excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and /or developer and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable

conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines > 450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to undertake:

i. Any works authorised by an earlier designation;

ii. Any repair, maintenance or upgrade to any existing network utility infrastructure, provided that:

- A Road Opening Notice has been obtained from Auckland Transport;

- Soil is not disturbed below a depth of 0.4m from the surface; and

- After works, the finished surface level is not reduced below the pre-existing surface datum.

d. Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

### **General**

2. Subject to these conditions, all works shall be undertaken in general accordance with the plans and information submitted by requiring authority in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline" and additional information received 20 December 2007 entitled NZRC Pipeline Designation DRAFT — Rodney District Council (version 1: December 2007).

### **Designation Width**

3. The maximum width of the designation shall be as follows:

a. For land not within roads or rail corridor 12m; and

b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

### **Engineering Standards**

4. All works in, on or under Council roads shall be carried out in accordance with the requirements of the Council's then current Standards for Engineering Design and Construction.

### **Road Opening**

5. Any maintenance, repair, upgrade or renewal works associated with the pipeline within public roads within the designation shall be carried out in accordance with the document "National Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor" and a Road Opening Notice obtained from the Road Controlling Authority prior to the works commencing.

### **Pipeline Maintenance**

6. All pipeline maintenance, repair, upgrade and renewal activities outside road reserves that involve excavation shall be in accordance with the Guide to Land Access for the Oil and gas industry and Landowners.

### **Utility Services**

7. Any utilities within the designation shall be protected from the adverse effects of maintenance, repair, upgrade or renewal works.

### **Overland Flow Paths**

8. Existing overland flow paths shall not be impeded by any maintenance, repair, upgrade or renewal works carried out within the designation.

### **Existing Overhead Lines**

9. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

### **Earthworks**

10. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed in accordance with the current Unitary Plan standards. Prior to any earthworks within the designation the appropriate sediment control devices as per Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing activities in the Auckland Region" shall be installed.

### **Hours of Maintenance**

11. Scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) unless the prior approval of the Council has been obtained.

### **Noise**

12. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics Construction Noise.

### **Welding, Dust and Smoke**

13. Maintenance works, repair, upgrade and renewal activities shall comply with the following:

*All welding activities shall be screened from adjacent sites and roads.*

*No activity (apart from traffic travelling on formed roads, or activities authorised by resource consent for a discharge of contaminants into air) shall create a dust or smoke nuisance, which is discernible beyond the boundary of the site or sites on which the activity is being undertaken. For the purposes of this condition a dust or smoke nuisance will occur if the Council considers there is visible evidence of noxious, dangerous, offensive or objectionable deposited particulate matter settling on the ground, a building, or structure, which is traceable from a dust or smoke source; or if the Council considers that the level of dust or smoke, beyond the boundary of the site or sites on which the activity is being undertaken, is noxious, dangerous, offensive or objectionable. In making its determination as to whether there is or is not a dust or smoke nuisance, the Council shall take into account the character of the zone in which the dust or smoke is created.*

*Note:*

- a. In addition to this condition the Auckland Unitary Plan has rules relating to the discharge of smoke and dust.*
- b. It is the nature of the rural area that rural farming activities are undertaken that will create a level of dust and/or smoke as a part of reasonable farming activities. However, this does not exempt farming activities from meeting any relevant rules.*
- c. In making the above determination Council shall utilise suitably qualified and experienced persons where possible.*

### **Consultation with NZTA**

14. The requiring authority shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.

### **Written Approval from the Requiring Authority**

15. The Requiring Authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

### **Advice Notes**

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. All land use activities within the designation corridor must comply with the New Zealand Code of Practice for Electrical Safety Distances (NZECP) 34:2001.
3. Any new structures within the designation may be subject to a Building Consent where applicable.
4. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
5. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation railway and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.
6. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines — Gas and Petroleum Liquids, the Health and safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
7. Emergency works may be performed in line with the Vector advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Vector or their agent who provide an on-call service outside of normal working hours.
8. An authority may need to be obtained from Heritage New Zealand to destroy, damage or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.
9. Where any maintenance works, repair, upgrade and renewal activities affect any stream or river or where earth works are undertaken the requiring authority will need to obtain any necessary consents from the Auckland Council prior to the works commencing.
10. For the avoidance of doubt, the Requiring Authority has confirmed that it accepts that nothing in the conditions limits, or is intended to limit, the potential obligation under section 176A of the RMA to provide an Outline Plan of works in appropriate circumstances.

## Attachments

No attachments.

## 6501 Petroleum Pipeline - Urban Section

Designation Number	6501
Requiring Authority	Channel Terminal Services Limited
Location	102 Amreins Road, Taupaki to 149 Roscommon Road, Wiri
Rollover Designation	Yes
Legacy Reference	Designation NZRC1, Auckland Council District Plan (Waitakere Section) 2003; Designation G0306 Auckland Council District Plan (Isthmus Section) 1999; and Designation 296, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

### Purpose

The designation by The Channel Terminal Services Limited is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products and described as follows:

- a. The existing 275mm petroleum transmission pipeline;
- b. The existing isolation valves;
- c. Cathodic protection terminals; and
- d. Surface marker posts and warning signage, located between the northern district boundary extending from the former Waitakere City Boundary at Amreins Road, Taupaki and the Wiri Oil Services Terminal at 149 Roscommon Road, Wiri, Manukau City.

The following limitations apply:

- i. Renewal shall be limited to works on the petroleum transmission pipeline and will be limited to the replacement of sections of the pipeline with sections having equivalent diameter, and maximum allowable operating pressure of no more than (9.0MPa) and no more than [20] lineal metres of pipeline will be excavated within any 14 day period.
- ii. Upgrade will be limited to adding or replacing aboveground components provided the applicable Unitary Plan permitted activity standards are complied with and the maximum allowable operating pressure is not increased. Above ground components are limited to:
  - The existing isolation valves;
  - The existing cathodic protection terminals;
  - Surface marker posts; and
  - Warning signage.
- iii. All activities within road reserve shall be in accordance with the requirements of " Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor "; and
- iv. All activities within land other than the road reserve shall be in accordance with the Guide to Land Access for the Oil and Gas Industry and Landowners.

The contact details for Channel Terminal Services Limited are:

**Postal Address:** Private Bag 9024, Whangarei, New Zealand  
**Telephone:** +64 9 432 5100  
**Email:** [corporate@channelnz.com](mailto:corporate@channelnz.com)

### Conditions

#### Restrictions of the Designation

1. a. No person shall:
  - i. Erect any structure; or
  - ii. Plant any tree or shrub; or
  - iii. Disturb the soil below a depth of 0.4m; or
  - iv. Do anything on or to the land which would or could damage or endanger the pipeline, without first obtaining the written consent of Channel Terminal Services Limited.

For the avoidance of doubt, such written consent shall not be required for ordinary cultivation, digging,

excavating, tilling and working soil to a depth of less than 0.4m or where Channel Terminal Services Limited has provided specific written approval prior to the designation coming into effect. A minimum of 1m cover shall remain above the top of the pipe after any ordinary cultivation, digging or excavation has taken place.

Landowners and/or developers can apply to Channel Terminal Services Limited for consent to do any work on the land within the designation corridor. Channel Terminal Services Limited will review each application with the landowner and/or developer and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions including the power to revoke the consent in specified circumstances.

Channel Terminal Services Limited agrees to not unreasonably withhold its consent.

Works or activities that would or could damage or endanger the pipeline include, for example, the use of heavy compaction or vibration machinery and equipment, pile-driving machinery and equipment, trenching, excavation or drilling (including micro drilling and directional drilling).

b. No person shall undertake road opening, trenching, excavation or drilling (including micro drilling and directional drilling), or lay underground high voltage power lines >450v either in parallel with or intersecting Channel Terminal Services Limited's petroleum pipeline, without first obtaining Channel Terminal Services Limited's written approval.

c. However, the restrictions in a. and b. above do not apply, and Channel Terminal Services Limited's consent is not required under section 176 of the RMA to the following activities, provided that:

- i. Road Opening Notice has been obtained from the Road Controlling Authority;
- ii. Any road widening or associated works in accordance with any existing road designation;
- iii. Any repair, maintenance or upgrade to existing road surface;
- iv. Any repair, maintenance or upgrade to any existing network utility infrastructure.

Provided in all cases that:

- Soil is not disturbed below a depth of 0.4m from the surface; and
- After works, the finished surface level is not reduced below the pre-existing surface datum.

Where works other than those authorised by an earlier designation would exceed a depth of 0.4m from the surface and/or after completion of such works the finished surface level is proposed to be reduced below the pre-existing surface datum then application shall be made to Channel Terminal Services Limited for consent to do the works. Channel Terminal Services Limited will review each application with the applicant and work to achieve the most suitable outcome for all parties. Channel Terminal Services Limited may give its written consent subject to reasonable conditions, and agrees not to unreasonably withhold its consent.

Emergency works may be performed in line with the Vector Gas advice booklet by excavation to 0.4m depth and thereafter the use of hand tools only. Emergency operations should be notified immediately to Channel Terminal Services Limited or their agent (Vector Gas Ltd) who provide an on-call service outside of normal working hours.

### **General**

2. Subject to these conditions, works shall be undertaken in general accordance with the plans and information submitted by the requiring authority in support of the Notice of Requirement in the documents entitled "Proposed Designation Relating to the Refinery to Auckland Pipeline".

3. The maximum width of the designation shall be as follows:

- a. For land, not including roads and rail corridor 12m; and
- b. For land comprising roads and rail corridor under which the pipeline crosses, or is contained within, 6m.

For the avoidance of doubt, where the designation applies to road or rail corridors the designation shall not extend across any adjacent private property, except to the extent that private property is subject to an easement in favour of Channel Terminal Services Limited.

4. All pipeline maintenance, repair, upgrade and renewal activities within road reserves that involve excavation shall be pursuant to a Road Opening Notice and shall be subject to the Road Opening Notice requirements of the Council and carried out in accordance with "Code of Practice for Utility Operators' Access to Transport Corridors (2011) or its successor".
5. Where maintenance, repair, upgrade and renewal activities involving excavation are undertaken pursuant to the designation, appropriate sediment and erosion measures shall be employed, in accordance with the current Unitary Plan standards.
6. Channel Terminal Services Limited shall at all times ensure that access between parts of any property held in single ownership temporarily severed by maintenance, repair, upgrade and renewal activities is maintained to a level that will enable, as far as practicable, normal activities on the property to continue.
7. Within road reserves scheduled maintenance, repair, upgrade or renewal work and associated activities shall be limited to between the hours of 7am and 7pm, Monday to Saturday (excluding public holidays) except:
  - a. where otherwise stated in a Traffic Management Plan, to the satisfaction of the Council; or
  - b. with the prior approval of the Road Controlling Authority.
8. All works or activities related to the designation shall be undertaken in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
9. The noise from maintenance works, repair, upgrade and renewal activities shall be measured, assessed and controlled in accordance with the procedures and limits set out in NZS 6803:1999 Acoustics – Construction Noise.
10. Channel Terminal Services Limited shall consult with New Zealand Transport Agency (NZTA) at least 30 working days prior to carrying out any works or activities on, in or under State Highways, except in emergency situations.
11. Channel Terminal Services Limited shall consult with Auckland Transport at least 15 working days prior to carrying out any works or activities on, in or under Council-controlled roads, except in emergency situations.
12. The requiring authority shall respond within 15 working days of receiving any request for its written approval under section 176 of the RMA.

#### **Advice Notes**

1. Access to overhead electricity transmission lines, poles or supporting structures shall be maintained at all times in accordance with the Electricity Act 1992.
2. Channel Terminal Services Limited has confirmed that it will consult with land owners and occupiers who may be affected by maintenance works, repair, upgrade and renewal activities to reach fair and reasonable arrangements for entry, and to address any matters regarding effects of maintenance, repair, upgrade and renewal activities, including restoring the surface of the land following maintenance, in accordance with its relevant obligations under the pipeline easement.
3. The Requiring Authority is obliged to operate the pipelines and ancillary facilities in accordance with the requirements of AS2885: Pipelines – Gas and Petroleum Liquids, the Health and Safety in Employment (Pipelines) Regulations 1999 and in accordance with the authorisations issued for those facilities in terms of the Petroleum Act 1937.
4. This designation traverses earlier Auckland Council roading, New Zealand Railway Corporation and NZTA designations that are protected pursuant to sections 176 and 177 of the RMA, and State Highways which are protected pursuant to sections 51 and 52 of the Government Roding Powers Act 1989. Where that occurs, the Requiring Authority may only carry out its activities with the written consent of the earlier requiring authorities.



5. An authority may need to be obtained from Heritage New Zealand to destroy, damage, or modify an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

#### **Attachments**

No attachments.